

PATENT APPLICATION

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

ATTORNEY DOCKET NO. XMP 2033

As a below named inventor, I hereby declare that:

My residence/post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

COMPOSITION AND METHOD FOR TREATING THE EFFECTS OF DISEASES AND MALADIES

the specification of which is attached hereto unless the following box is checked:

() was filed on _____ as US Application Serial No. or PCT International Application
Number _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR 1.56.

Foreign Application(s) and/or Claim of Foreign Priority

I hereby claim foreign priority benefits under Title 35, United States Code Section 119 of any foreign application(s) for patent or inventor(s) certificate listed below and have also identified below any foreign application for patent or inventor(s) certificate having a filing date before that of the application on which priority is claimed

| COUNTRY | APPLICATION NUMBER | DATE FILED | PRIORITY CLAIMED UNDER 35 U.S.C. 119 |
|---------|--------------------|------------|--------------------------------------|
| | | | YES ____ NO ____ |
| | | | YES ____ NO ____ |

Provisional Application

I hereby claim the benefit under Title 35, United States Code Section 119(e) of any United States provisional application(s) listed below

| APPLICATION SERIAL NUMBER | FILING DATE |
|---------------------------|-------------------|
| 60/184,351 | February 23, 2000 |
| | |

U.S. Priority Claim

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code Section 112. I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| APPLICATION SERIAL NUMBER | FILING DATE | STATUS(patented/pending/abandon) |
|---------------------------|-------------|----------------------------------|
| | | |
| | | |
| | | |

POWER OF ATTORNEY:

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) listed below to prosecute this application and transact all business in the Patent and Trademark Office connected therewith

D. Scott Juneau, Reg. No. 39,243
Thomas Powers, Reg. No. 38,582

Terry W. Kramer, Reg. No. 41,541

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fax (703) 413-5048

Direct Telephone Calls To:

Terry W. Kramer
(703) 413-5000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon

Full Name of Inventor: Daniel Gelber

Citizenship: U.S.A.

Residence: 22451 Califa Street; Woodland Hills, California 91367

Post Office Address: Same

Inventor's Signature

Date

12-11-00

DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION (continued)

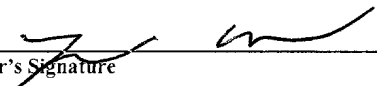
ATTORNEY DOCKET NO. XMP 2033

Full Name of Inventor: Richard Kleinberger

Citizenship: U.S.A.

Residence: 4520 Natick Avenue #108; Sherman Oaks, California 91403

Post Office Address: Same


Inventor's Signature

12-11-00
Date

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FORM 504-5045460

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**STATEMENT CLAIMING SMALL ENTITY STATUS
(37 crf 1.9(f) & 1.27(b)) -- INDEPENDENT INVENTOR**

Docket Number (Optional)
XMP 2033

Applicant, Patentee, or Identifier: Daniel Gelber and Richard Kleinberger

Application or Patent No.: _____

Filed or Issued: _____

Title: COMPOSITION AND METHOD FOR TREATING THE EFFECTS OF DISEASES AND MALADIES

As a below named inventor, I hereby state that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described in:

- ☐ the specification filed herewith with title as listed above.
☒ the application identified above.
☐ the patent identified above.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a non-profit organization under 37 CFR 1.9(e).

Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

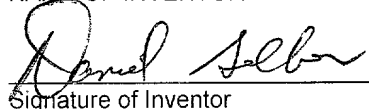
- ☐ No such persons, concerns, or organizations exist.
☒ Persons, concerns, or organizations are listed below:

RDR HOLDINGS, L.L.C.

Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

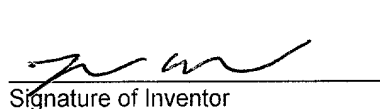
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

Daniel Gelber
NAME OF INVENTOR


Signature of Inventor

12-11-00
Date

Richard Kleinberger
NAME OF INVENTOR


Signature of Inventor

12-11-00
Date

NAME OF INVENTOR

Signature of Inventor

Date

**STATEMENT CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) & 1.27(c))--SMALL
BUSINESS CONCERN**

DOCKET NUMBER XMP2033

Applicant, Patentee, or Identifier: Daniel Gelber and Richard Kleinberger

Application or Patent No.:

Filed or Issued:

Title: **COMPOSITION AND METHOD FOR TREATING THE EFFECTS OF DISEASES AND
MALADIES**

I hereby state that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN RDR HOLDINGS L.L.C.

ADDRESS OF SMALL BUSINESS CONCERN 6016 Fallbrook Ave., Suite 200, Woodland Hills, CA 91367

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☒ the specification filed herewith with title as listed above.
☒ the application identified above.
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.
☐ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

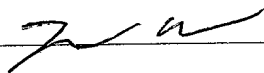
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Richard Kleinberger

TITLE OF PERSON IF OTHER THAN OWNER Managing Director

ADDRESS OF PERSON SIGNING 4520 Natick Ave., Sherman Oaks, California 91403

SIGNATURE



DATE

12-11-00